



Paper No. 8

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**OFFICE OF PETITIONS**

In re Application of  
Barnes, et al.  
Application No. 10/041,686  
Filed: January 7, 2002  
Attorney Docket No. 25001A

**DECISION ON PETITION**

This is a decision on the petition under 37 CFR § 1.137(b), filed December 23, 2002, to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to respond in an appropriate and timely manner to the "Notice to File Missing Parts in a Nonprovisional Application" (the "Notice") mailed December 22, 2002. The Notice set forth a two month period for reply beginning from its mailing date. Extensions of time for reply were available pursuant to 37 CFR § 1.136(a). No response was received within the allowable period. Accordingly, this application became abandoned on February 23, 2003. The instant petition was filed before a Notice of Abandonment could be sent.

The Notice required an oath or declaration in compliance with 37 CFR 1.63 to be filed, and a surcharge pursuant to 37 CFR 1.16(e) be remitted. Petitioner responded by filing a declaration that complies with 37 CFR 1.63 and remitting the required surcharge. Petitioner also filed substitute drawings as required by the Notice, and remitted outstanding filing and claim fees.

The application is being forward to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-0010.

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